UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/709,295 | 04/27/2004 | David Armes | 60655.8800 | 3294 |

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| EXAMINER |
|---|
| LY, CHEYNE D |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2168 | |

| NOTIFICATION DATE | DELIVERY MODE |
|---|---|
| 03/18/2010 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | Application No. | Applicant(s) |
| --- | --- | --- |
| **Office Action Summary** | 10/709,295 | ARMES ET AL. |
| | Examiner | Art Unit | |
| | CHEYNE D. LY | 2168 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *29 December 2009*.

2a)☒ This action is **FINAL**.　　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-12 and 14-26* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 14-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

## DETAILED ACTION

1. Claims 1-12 and 14-26 are examined on the merits.

2. Applicant's arguments filed December 29, 2009 have been fully considered but they are not persuasive. Applicant argues Chu fails to teach "not providing an entry for a user into said system." Applicant's argument is not persuasive because Chu reasonably describes the argued limitations as exemplified by the instant specification. For example, the instant specification describes the "user entry points may include any communication hardware and/or software…access is through a network or the Internet through a…web-browser" ([0014]). Messaging Infrastructure 10 facilitates the workflow management of files through File Services System 5 ([0020]. File Transfer Services 30 may also be configured to include user entry points into the File services system 5 such as, for example, Intranet 38 or Internet 36. Intranet 38 may interface with a File Transfer Application Server 32, and Internet 36 may interface with a Web Server 34 that in turn may also interface with a File Transfer Application Server 32. File Transfer Application Server 32 may interface with Messaging Infrastructure 10 ([0018]). As cited, Chu disclose a method of transferring a file from a first client to a second client includes issuing first instructions from the first client to register an account with a digital asset distribution (DAD) server via a DAD website for transferring a file the second client. The first client includes a web browser for accessing the website. The method also includes issuing second instructions for uploading the file to the DAD server via the DAD website, where upon the first client initially accessing the website, embedded client software for uploading the file is automatically downloaded to the first client. The method also includes notifying the second client that the file is available for downloading from the

DAD web site, connecting the second client to the DAD server via the DAD website for

downloading the file and downloading the file. The second client also includes a web

browser for accessing the DAD website (page 1, [0011]). The DAD server of Chu has been

reasonably interpreted as the exemplified Messaging Infrastructure wherein access to said

DAD server is via the a web browser in a client (file transfer services).

## CLAIM REJECTIONS - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.


4.   This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent

any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to

point out the inventor and invention dates of each claim that was not commonly owned at the

time a later invention was made in order for the examiner to consider the applicability of 35

U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5.   Claims 1-12 and 14-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chu et al. (2002/0049853 A1) (Chu hereafter) taken with Konda et al. (US 2003/0041095

A1) (Konda hereafter).

6.    In regard to claim 1, Chu discloses a system to facilitate movement of electronic files comprising:

7.    A messaging infrastructure component configured to facilitate workflow management of files through said system , and said messaging infrastructure component communicating with a manager interface and not providing an entry point for a user into said system (page 1, [0011], especially, "issuing first instructions…", and Claim 32, e.g. software resident on said server tracks said file transfer);

8.    A file transfer services component configured to at least one of transmit and receive a file request, said file transfer services providing an entry point for a user into said system (page 1, [0009], especially, "issuing instructions from the first client to a digital asset distribution (DAD) server for transferring a file…from the DAD server…");

9.    a centralized file management hub configured to communicate with said file transfer services component and said file transformation component through said messaging infrastructure component (page 1, [0014], especially, "a digital asset distribution (DAD) server…"), and said centralized file management component not providing an entry point into said system (Figure 5, page 2, [0049], e.g. instructions are sent to the DAD server via a web page, and page 6, [0092], e.g. the program will communicate with the queue manager (909) to add the item to the defined queue, i.e. sender notification queue, recipient notification queue, or server-to-server transfer queue).

10. However, Chu does not explicitly describe the limitation of "a file transformation component configured to use enterprise logic to enrich file content and convert a file type to another file type, said file transformation component not providing an entry point for a user

into said system." Konda describes a file transformation component configured to use

enterprise logic to enrich file content and convert a file type to another file type, said file

transformation component not providing an entry point into said system (page 4, [0064], e.g.

WordPerfect...PDF, page 5, [0078], e.g. ETS instance provides file transformation services,

and Figure 1). One of ordinary skill in the art at the time of the invention would have been

motivated by Konda to improve the methods and systems for transforming data in

heterogeneous computer systems (page 2, [0015]) to overcome costly, tedious and time-

consuming task of transforming documents (page 2, [0016]). Therefore, it would have been

obvious to one of ordinary skill in the art to make and use the system of Chu with the task of

transforming documents of Konda to to improve the methods and systems for transforming

data in heterogeneous computer systems (page 2, [0015]) to overcome costly, tedious and

time-consuming task of transforming documents.

11. In regard to claim 2, Chu in view of Konda discloses said centralized file management

hub includes:

    A parameter and configuration management component configured to provide a gateway

    to at least one of store and retrieve configuration information (page 4, [0061], especially,

    "...server site URL provides the universal uniqueness to the PID...assist the server-to-

    server transfer...download records may be added into the database"; and,

    A file routing and workflow component configured to route a file through a network and

    provide routing information to file transfer nodes to facilitate at least one of routing and

    scheduling of a file transfer (page 4, [0062]-[0063], especially, "address book...Sender

    File Names (24) and Location (25)...").

12. In regard to claim 3, Chu view of Konda discloses the centralized file management hub further includes a parameter and configuration management component, wherein said parameter and configuration management component includes…file transfer routing information….(page 4, [0062]-[0063], especially, "address book…Sender File Names (24) and Location (25)…").

13. In regard to claim 4, Chu view of Konda discloses display tracking information (page 4, [0064], especially, "interface…Tracking (TRACE)").

14. In regard to claim 5, Chu in view of Konda discloses a manager interface configured to at least one of receive configuration information and display tracking information (page 4, [0064], especially, "interface…Tracking (TRACE)"), wherein said configuration information includes at least one of client authentication….(page 3, [0051], especially, "sender input a unique username and password…")…and wherein said tracking information includes a workflow task outcome (page 4, [0064] to page 6, [0084]), Figure 3 in its entirety exemplifies a workflow task outcome).

15. In regard to claim 6, Chu view of Konda discloses the file transfer services component includes:

16. One file transfer agent communicating with said messaging infrastructure (Figure 5 wherein the server components have been interpreted as "agents" as defined by the Microsoft dictionary);

17. A file transfer application server…(Figure 5, especially, "Server" and "Remote Server");

18. User interface…(page 4, [0064]).

19. In regard to claims 7 and 8, Chu view of Konda discloses a user interface…(page 4, [0064]-[0065], especially, "Client Browser screen components…send client software embedded in HTML…").

20. In regard to claims 9 and 10, Chu view of Konda discloses a file transformation component is further configured to apply a transformation map to said file (page 7, [0097], especially, "sender has the option to cancel a lengthy upload and resume upload at a later time…the program will resume uploading portion of the file and so indicate in the restart offset…" and page 8, [0114], especially, "support partial file transfer…receive command requesting…"). The disclosure cited above is consistent the exemplary description of "a transformation map" in the instant specification (paragraph [0025]).

21. In regard to claim 11, Chu view of Konda discloses one file transfer agent is further configured to notify said central file management hub of workflow events (page 7, [0103], especially, "delivery of the download notification to the primary DAD server").

22. In regard to claims 12, and 14-26, Chu in view of Konda discloses a method (claim 1) implemented in the above-cited system. Further, Chu discloses a validation step (page 8, [0106]-[0107], especially, "If valid data is read…"). Specific to claims 22 and 23, the limitation of "business rules…" has been interpreted reasonably broad because the instant specification does not explicitly define said limitation. The invention described by Chu is directed to end-to-end secure file transfer method and system as directed to "reports, articles, advertisements,…spreadsheets (page 1, [0005]). The cited method and system have been interpreted as being directed to business application; therefore, would achieve the same expected resulted as the claimed method in regard to the limitation of "business rules."

23. **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

24. A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until

after the end of the THREE-MONTH shortened statutory period, then the shortened statutory

period will expire on the date the advisory action is mailed, and any extension fee pursuant to

37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

25. Patent applicants with problems or questions regarding electronic images that can be

viewed in the Patent Application Information Retrieval system (PAIR) can now contact the

USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are

available to answer your questions daily from 6 am to midnight (EST). The toll free number

is (866) 217-9197. When calling please have your application serial or patent number, the

type of document you are having an image problem with, the number of pages and the

specific nature of the problem. The Patent Electronic Business Center will notify applicants

of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to

confirm that the problem has been corrected. The USPTO's Patent Electronic Business

Center is a complete service center supporting all patent business on the Internet. The

USPTO's PAIR system provides Internet-based access to patent application status and history

information. It also enables applicants to view the scanned images of their own application

file folder(s) as well as general patent information available to the public.

26. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-

9199. The USPTO's official fax number is 571-272-8300.

27. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The

examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim Vo, can be reached on (571)272-3642.

/Cheyne D Ly/
Primary Examiner, Art Unit 2168